

2002 NOV 22 P 3:15 PM

FILED
MOLLY O. RUHL
CLERKS OFFICE
MONTGOMERY CO MD

TAX ID No. 02-0019236

**GRANT OF STORMWATER
MANAGEMENT EASEMENT
AND**

**RIGHT OF WAY
TO
MONTGOMERY COUNTY, MARYLAND**

Made this 26th day of September, 2002, by and between
Clarksburg Skylark, LLC, a Maryland Limited Liability Company, Grantor(s), and
Montgomery County, Maryland, hereinafter referred to as the County.

WITNESSETH: That in consideration of the sum of One Dollar (\$1.00) paid by
the County, the receipt of which is hereby acknowledged, the Grantor(s) do hereby grant
and convey to the County, its successors and assigns, a Stormwater Management
Easement and right of way described as follows:

SEE SCHEDULE "A"

RECORDING FEE	20.00
IMP FD SURE #	5.00
TOTAL	25.00
Rec'd MONTG	Rec'd \$ 21580
MONTG	Bk # 10001
Nov 22, 2002	03:16 PM

TO HAVE AND TO HOLD said easement and right of way together with the
rights and privileges pertinent to their proper use and benefits forever by the County, its
successors and assigns.

AND the Grantor(s), for themselves, their heirs and assigns covenant and agree
with the County, its successors and assigns, as follows:

FIRST: That the Grantor(s) will never erect nor permit to be erected any
building or structure of any nature whatsoever, nor fill or excavate, nor plant trees within
said easement and right of way without the County's written consent;

MONTGOMERY COUNTY, MD
APPROVED BY [Signature]

NOV 22 2002

\$ NA RECORDATION TAX PAID
\$ NA TRANSFER TAX PAID

CPJ + Assoc.
1751 Elyon Rd. # 300
Silver Spring MD. 20903

SECOND: That the County, its successors and assigns, shall at all times have a right to enter said easement and right of way for the purpose of installing, constructing, reconstructing, modifying, altering, maintaining, repairing, operating, monitoring, and inspecting the stormwater management facility within said easement and right of way, the right of entry to be along the line herein designated and along such other lines as the Grantor(s) may designate; and;

THIRD: That the maintenance of the facility shall be in accordance with the maintenance covenant for this facility; and;

FOURTH: That the Grantor(s) will warrant specially said easement and right of way, and shall execute such further assurances thereof as may be requisite.

WITNESS: (his) (their) hand(s) and seal(s) the day and year first hereinabove written.

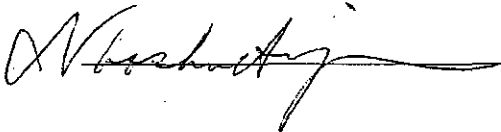
WITNESS

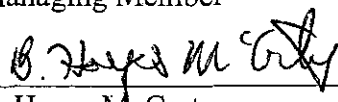
GRANTOR
Clarksburg Skylark LLC,
A Maryland Limited Liability Company

By: **ARTERY-BEAZER CLARKSBURG, LLC**
A Maryland Limited Liability Company
Member of Clarksburg Skylark, LLC

By: **ARTERY CLARKSBURG, LLC**
A Maryland Limited Liability Company
Member of Artery-Beazer Clarksburg, LLC

By: **THE ARTERY GROUP, LLC**
A Maryland Limited Liability Company
Managing Member




B. Hayes McCarty
Executive Vice President

STATE OF Maryland

SS:

COUNTY OF Montgomery

I HEREBY CERTIFY that on this 26th day of September, 2002, before the subscriber, a Notary Public of the State of Maryland, and for the County of Montgomery personally appeared B. Hayes McCarty and did acknowledge the foregoing instrument to be (his) (their) act.

IN TESTIMONY WHEREOF, I have affixed my official seal.

Elizabeth SheridanMy Commission Expires 7-3-04

INFORMATION FOR RECORDING EASEMENT

Parcel ID Number:

02-00019236

Record Legal Description

L. 19158 F. 440

Street Address of Parcel

West of Skylark Road
North of New Cut Road

Names and Addresses of Parties to Instrument and Their Interest

GRANTOR(S)

Clarksburg Skylark, LLC
7200 Wisconsin Ave. Suite 1000
Bethesda, Maryland 20814

COUNTY

Montgomery County, Maryland
101 Monroe Street
Rockville, Maryland 20850

MONTGOMERY COUNTY
DEPARTMENT OF PERMITTING SERVICES
APPROVED FOR

SM POND EASEMENTSC 206161SM 204344RJ Ben

Approved

11/19/02

Date

Charles P. Johnson & Associates, Inc.

Planners Engineers Landscape Architects Surveyors

CPJ
Associates

Silver Spring, MD

Frederick, MD

Fairfax, VA

TAX ID NO. 02-00019236

SCHEDULE 'A'**DESCRIPTION OF A
STORMWATER MANAGEMENT EASEMENT****ACROSS THE PROPERTY OF
CLARKSBURG SKYLARK, LLC
A MARYLAND LIMITED LIABILITY COMPANY****CLARKSBURG (2ND) DISTRICT
MONTGOMERY COUNTY, MARYLAND**

BEING a strip or parcel of land hereinafter described as running in, through, over and across the property acquired by Clarksburg Skylark, LLC, a Maryland Limited Liability Company from Estelle DeMaio, et al., by deed dated March 26, 2001 and recorded among the Land Record of Montgomery County, Maryland in Liber 19158 at Folio 440 and being more particularly described in the Maryland State Plane datum (NAD 83/91) as follows

BEGINNING for the said strip or parcel of land at a point on the twenty-third (23rd) or North 18°48'35" West, 1,650.00 feet line as described in a deed of conveyance from Oscar Wind, et al., to Barbara Markwood dated November 25, 1991 and recorded among the aforesaid Land Records in Liber 10129 at Folio 345, distant, 636.81 feet from the end thereof, said point being also on the first (1st) or South 18°47'51" East, 1650.05 feet line as described in a deed of conveyance from Louis Rosenbloom and Michael Tuchler, Co-Trustees for the Clark Purdum Estates Partnership, to Clarksburg Village Partnership, a Virginia General Partnership, dated June 16, 1986 and recorded among the aforesaid Land Records in Liber 7166 at Folio 106, distant, 636.81 feet from the beginning thereof, running thence with and binding on said twenty-third (23rd) line, and reversely with and binding on said first (1st) line, as now surveyed, the following course and distance

SCHEDULE 'A'
 DESCRIPTION OF A
 STORMWATER MANAGEMENT EASEMENT
 ACROSS THE PROPERTY OF
 CLARKSBURG SKYLARK, LLC
 A MARYLAND LIMITED LIABILITY COMPANY
 CLARKSBURG (2ND) DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 PAGE 2 of 2

1. North 18°46'41" West, 36.62 feet to a point thence running in, through, over and across the property of Clarksburg Skylark, LLC the following eleven (11) courses and distances
2. North 51°49'20" East, 17.45 feet to a point, thence
3. North 19°14'26" West, 46.00 feet to a point, thence
4. North 14°21'54" East, 220.41 feet to a point, thence
5. North 44°02'31" East, 88.32 feet to a point, thence
6. 30.61 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 400.00 feet and a chord bearing and distance of South 47°31'16" East, 30.60 feet to a point, thence with a tangent line
7. South 49°42'48" East, 238.25 feet to a point, thence
8. 26.56 feet along the arc of a tangent curve deflecting to the right, having a radius of 18.00 feet and a chord bearing and distance of South 07°26'22" East, 24.22 feet to a point, thence
9. 196.44 feet along the arc of a tangent curve deflecting to the left, having a radius of 375.00 feet and a chord bearing and distance of South 19°49'38" West, 194.20 feet to a point, thence
10. North 85°52'21" West, 185.04 feet to a point, thence
11. North 72°46'40" West, 47.06 feet to a point, thence
12. South 51°49'39" West, 18.97 feet to the point of beginning, containing 82,622 square feet or 1.896 acres of land.



[Handwritten Signature] 9/16/02

Daniel F. DeBolt
 Reg. Property Line Surveyor
 MD. No. 526

RECORD LEGAL DESCRIPTION

L. 19158 F. 440

CLARKSBURG SKYLARK, LLC

SEPTEMBER, 2002 SCALE: 1"=60'

SCALE: 1"=60'

MARYLAND STATE PLANE
DATUM (NAD 83/91)

LIBER 19158 FOLIO 440

82,622 ~~7~~ OR 1.896 Ac.

DEED FOLIO 1550.05

17.45
N51°49'20"E

POINT OF
BEGINNING

36.62'
N18°46'41"W

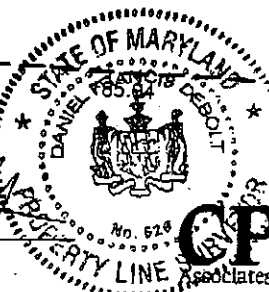
$N 72^{\circ} 46' 40'' W$

S51°49'39"W
18.97'

N85°52'21"W

EXISTING
STORMWATER MANAGEMENT
EASEMENT
L. 21874 F. 339

MD. REG. No. 526



FREDERICK, MD FADUFAX, VA

FARMER, VA